

**CENTRE OF STUDIES FOR BUILDING SURVEYING
FACULTY OF ARCHITECTURE, PLANNING AND SURVEYING
UNIVERSITI TEKNOLOGI MARA**

**TRIBUNAL OF HOMEBUYERS CLAIM: AN EFFECTIVE AND
EFFICIENT DISPUTE RESOLUTION TO PROTECT
HOMEBUYER**

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**“I hereby declare that this academic project is the result of my own
research except for the quotation and summary which have been
acknowledged”**

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ABSTRACT

All developing countries have its own a well and organized instruments related to land, housing and property development that is considered as part of the mechanism that will support the growth of those areas. A well and organized mechanism related to those areas will also contribute to the public confidence towards the property developers. In ensuring the rights of the purchasers are protected from any problems related to housing development, then a tribunal was formed and named as Tribunal for Homebuyers' Claim which was established in the year 2002 under the Housing Development (Control and Licensing) Act, 1966. It is the objective of this dissertation to study on the effective and efficient of the tribunal towards protecting homebuyer's rights base on the Housing Development (Control and Licensing) Act, 1966 and the Housing Development (Tribunal for Homebuyer Claims) Regulations, 2002.

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CHAPTER 1

INTRODUCTION

1.1 Study of Background

The housing industry in Malaysia has started in the late 1950s and early 1960s which is were in line with the country's development after its independent. Hence, in order to ensure that the interests of the homebuyers in Malaysia protected and care for, the Housing Development (Control and Licensing) Act 1966 which also known as Act 118 (hereinafter referred to as 'the Act') was enacted and enforced. The Act only applicable in Peninsular Malaysia which aims to regulate the housing development activities so that home buyer desire to have a desirable place to live can become a reality.

With the rapid growth of Malaysia's economic development and also with the consideration of the global economic scenario has shown that many disputes between the homebuyers and the housing developers often manifests especially during the economic recession in 1974-1975, 1986-1987 and in 1997. At that time, there was no legal provision that gives the homebuyers an easy way to bring their civil disputes regarding their bought house upon a proper channel. This has caused the homebuyers to go through the civil court procedure which surely involve high legal fees that cannot be borne by the general public.